

Section #3



Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

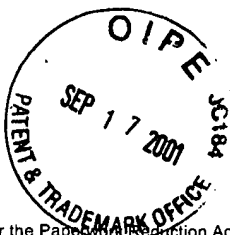
|  |                      |                        |            |
|--|----------------------|------------------------|------------|
| <h1>TRANSMITTAL FORM</h1> <p><i>(to be used for all correspondence after initial filing)</i></p> | Application Number   | 09/835,301             |            |
|  | Filing Date          | April 13, 2001         |            |
|  | First Named Inventor | Patrick Fitzpatrick    |            |
|  | Group Art Unit       |                        |            |
|  | Examiner Name        |                        |            |
| Total Number of Pages in This Submission   | 7                    | Attorney Docket Number | 50P3987.01 |

| ENCLOSURES (check all that apply)   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><p>Executed Combined Declaration/Power of Attorney and Return Postcard</p> |
| Remarks: _____  |   |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                       |
|--|-----------------------|
| Firm or Individual name                    | Merle W. Richman, III |
| Signature                                  |                       |
| Date                                       | September 12, 2001    |

| CERTIFICATE OF MAILING  |                       |                    |
|---|-----------------------|--------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 09/12/2001 |                       |                    |
| Typed or printed name   | Merle W. Richman, III |                    |
| Signature   |                       | Date               |
|   |                       | September 12, 2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



43

PTO/SB/17 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) \$1,292.00

## Complete if Known

|                      |                     |
|----------------------|---------------------|
| Application Number   | 09/835,301          |
| Filing Date          | April 13, 2001      |
| First Named Inventor | Patrick Fitzpatrick |
| Examiner Name        |                     |
| Group Art Unit       |                     |
| Attorney Docket No.  | 50P3987.01          |

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-1119  
Deposit Account Name: MERLE W. RICHMAN, III

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Code | Large Entity Fee (\$) | Small Entity Code | Small Entity Fee (\$) | Fee Description        | Fee Paid |
|-------------------|-----------------------|-------------------|-----------------------|------------------------|----------|
| 101               | 710                   | 201               | 355                   | Utility filing fee     | 710.00   |
| 106               | 320                   | 206               | 160                   | Design filing fee      |          |
| 107               | 490                   | 207               | 245                   | Plant filing fee       |          |
| 108               | 710                   | 208               | 355                   | Reissue filing fee     |          |
| 114               | 150                   | 214               | 75                    | Provisional filing fee |          |

SUBTOTAL (1) (\$ ) \$710.00

### 2. EXTRA CLAIM FEES

Total Claims: 39  
Independent Claims: 3  
Multiple Dependent Claims: 36

Extra Claims: 19  
Fee from below: 18  
Fee Paid: 342

| Large Entity Code | Large Entity Fee (\$) | Small Entity Code | Small Entity Fee (\$) | Fee Description  |
|-------------------|-----------------------|-------------------|-----------------------|--|
| 103               | 18                    | 203               | 9                     | Claims in excess of 20                                     |
| 102               | 80                    | 202               | 40                    | Independent claims in excess of 3                          |
| 104               | 270                   | 204               | 135                   | Multiple dependent claim, if not paid                      |
| 109               | 80                    | 209               | 40                    | ** Reissue independent claims over original patent         |
| 110               | 18                    | 210               | 9                     | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ ) 342

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Code | Large Entity Fee (\$) | Small Entity Code | Small Entity Fee (\$) | Fee Description  | Fee Paid |
|-------------------|-----------------------|-------------------|-----------------------|--|----------|
| 105               | 130                   | 205               | 65                    | Surcharge - late filing fee or oath  | 130.00   |
| 127               | 50                    | 227               | 25                    | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139               | 130                   | 139               | 130                   | Non-English specification  |          |
| 147               | 2,520                 | 147               | 2,520                 | For filing a request for ex parte reexamination                            |          |
| 112               | 920*                  | 112               | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 113               | 1,840*                | 113               | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 115               | 110                   | 215               | 55                    | Extension for reply within first month                                     | 110.00   |
| 116               | 390                   | 216               | 195                   | Extension for reply within second month                                    |          |
| 117               | 890                   | 217               | 445                   | Extension for reply within third month                                     |          |
| 118               | 1,390                 | 218               | 695                   | Extension for reply within fourth month                                    |          |
| 128               | 1,890                 | 228               | 945                   | Extension for reply within fifth month                                     |          |
| 119               | 310                   | 219               | 155                   | Notice of Appeal   |          |
| 120               | 310                   | 220               | 155                   | Filing a brief in support of an appeal                                     |          |
| 121               | 270                   | 221               | 135                   | Request for oral hearing   |          |
| 138               | 1,510                 | 138               | 1,510                 | Petition to institute a public use proceeding                              |          |
| 140               | 110                   | 240               | 55                    | Petition to revive - unavoidable   |          |
| 141               | 1,240                 | 241               | 620                   | Petition to revive - unintentional   |          |
| 142               | 1,240                 | 242               | 620                   | Utility issue fee (or reissue)   |          |
| 143               | 440                   | 243               | 220                   | Design issue fee   |          |
| 144               | 600                   | 244               | 300                   | Plant issue fee  |          |
| 122               | 130                   | 122               | 130                   | Petitions to the Commissioner  |          |
| 123               | 50                    | 123               | 50                    | Processing fee under 37 CFR 1.17(q)  |          |
| 126               | 180                   | 126               | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 581               | 40                    | 581               | 40                    | Recording each patent assignment per property (times number of properties) |          |
| 146               | 710                   | 246               | 355                   | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149               | 710                   | 249               | 355                   | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179               | 710                   | 279               | 355                   | Request for Continued Examination (RCE)                                    |          |
| 169               | 900                   | 169               | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 240.00

## SUBMITTED BY

Name (Print/Type): MERLE W. RICHMAN, III

Registration No. (Attorney/Agent): 38,282

## Complete (if applicable)

Telephone: 858 320 2030

Signature:

Date: 09/12/2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/835,301         | 04/13/2001          | Patrick Fitzpatrick   | 50P3987.01             |

CONFIRMATION NO. 4748

## FORMALITIES LETTER



\*OC000000006172686\*

Merle W. Richman III  
PO Box 3333  
La Jolla, CA 92038-3333



Date Mailed: 06/12/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$342.
  - \$342 for 19 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1182.**

10/19/2001 SSALEEKU 00000010 501119 09835301

|           |           |
|-----------|-----------|
| 01 FC:101 | 710.00 CH |
| 02 FC:103 | 342.00 CH |
| 03 FC:105 | 130.00 CH |

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

DOCKET NO.: 50P3987.0



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**Patrick Fitzpatrick**

Serial No.: **09/835,301**

Group Art Unit: **unknown**

Filed: **April 13, 2001**

Examiner: **Not Yet Assigned**

For: **SYSTEM AND METHOD FOR DOWNLOADING CODE**

I, **Merle W. Richman, III**, Registration No. **38,282** certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

On September 12, 2001

**Merle W. Richman, III, Reg. No. 38,282**

Attention: Box Missing Parts  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

**RESPONSE TO MISSING PARTS TRANSMITTAL LETTER**

In response to the enclosed Notice of Missing Parts of Nonprovisional Application, Applicants have enclosed an executed Combined Declaration and Power of Attorney. Applicants have also enclosed a request for an extension of time from the two months given to respond to September 12, 2001. Applicants respectfully request entry of this response.

September 12, 2001

**Merle W. Richman, III**  
**Registration No. 38,282**

PO Box 3333  
La Jolla, CA 92038-3333  
(858) 320-2032  
(858) 320-2034 (fax)  
email: [patent@san.rr.com](mailto:patent@san.rr.com)